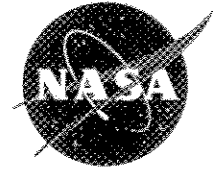


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



November 4, 2010

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at a First COTS
SpaceX Launch Viewing event hosted by SpaceX and NASA on or about
November 8, 2010

No earlier than November 8, 2010, Space Exploration Technologies Corporation (SpaceX) will co-host a reception with NASA at the Kennedy Space Center, OSB II Facility from 10:00 a.m. to 3:30 p.m. This event is to view the First Commercial Orbiter Transportation Services (COTS) Launch (C1). The launch is a demonstration of a Dragon spacecraft on a Falcon 9 rocket.

This event will be a widely-attended gathering of approximately 150-200 representatives of the aerospace industry, Congress and their staffers, state and local officials, NASA and other Federal agencies. The cost of the event will be approximately \$15.00 per person. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2). I have determined that free attendance at the above mentioned event is in the interest of the agency because it will further agency programs and operations. The event will provide NASA employees with the opportunity to view the launch and discuss the mission and other NASA programs with representatives of the communities participating in the event.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. However, NASA employees whose duties may substantially affect the event sponsors, such as by way of contracting duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i), regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions in which Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of event for themselves and any accompanying guest.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion and no more than

\$50 from one source in a calendar year. NASA invitees should not accept any gift items distributed at the reception which exceed these caps.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone